

RAMIRO MORALES, Bar No. 167947
CHRISTINE M. FIERRO, Bar No. 191660
RICHARD A. EGGERTH, Bar No. 99625
MORALES FIERRO & REEVES
2300 Contra Costa Blvd., Suite 310
Pleasant Hill, CA 94523
Telephone: (925) 288-1776
Facsimile: (925) 288-1856

Attorneys for Plaintiff
GERLING AMERICA INSURANCE
COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

GERLING AMERICA INSURANCE
COMPANY, a New York Corporation ,

Plaintiff,

vs.

HOMESTEAD INSURANCE COMPANY, a
Pennsylvania Corporation; GREAT
AMERICAN E&S INSURANCE
COMPANY, an Ohio Corporation, formerly
known as AGRICULTURAL EXCESS AND
SURPLUS INSURANCE COMPANY,

Defendants.

CASE NO.: CV08-1716 PJH (BZ)

**STIPULATION AND [PROPOSED]
ORDER TO POSTPONE MARCH 26,
2009 CASE MANAGEMENT
CONFERENCE PENDING RECEIPT OF
SETTLEMENT FUNDS**

WHEREAS, a Case Management Conference is scheduled in this matter for March 26, 2009
at 2:30 p.m. before this Court;

WHEREAS, the parties have finalized and signed a settlement agreement concluding the
action;

WHEREAS, the payments contemplated under the settlement agreement are either in transit
or in process, and the parties expect all such payments to be received shortly;

///

1 AND WHEREAS, the parties wish to postpone the March 26, 2009 Case Management
2 Conference, pending receipt of the funds, at which time a request for dismissal will be filed;

3 THEREFORE, IT IS NOW STIPULATED that the March 26, 2009 Case Management
4 Conference should be postponed until a date set by the Court.

5 DATED: March 24, 2009

MORALES, FIERRO & REEVES

6
7 
8 Richard A. Eggey
9 Attorneys for Plaintiff
GERLING AMERICA INSURANCE COMPANY

10 DATED: March 24, 2009

DUANE MORRIS LLP

11
12
13 Robert M. Fineman
14 Attorneys for Defendant
GREAT AMERICAN E&S INSURANCE
COMPANY

15 DATED: March 24, 2009

CHARLSTON REVICH & WOLLITZ LLP

16
17
18 Howard Wollitz
19 Attorneys for Defendant
HOMESTEAD INSURANCE COMPANY

20 **[PROPOSED] ORDER**

21 The Case Management Conference scheduled for March 26, 2009 before this Court is
22 postponed until April 30, 2009.

23 IT IS SO ORDERED.

24
25 Dated: March 26, 2009

26 UNITED STATES DISTRICT COURT

JUDGE



27
28 s:\docs\ga5105\stipulation postponing case management conference.rae

1 AND WHEREAS, the parties wish to postpone the March 26, 2009 Case Management
2 Conference, pending receipt of the funds, at which time a request for dismissal will be filed;

3 THEREFORE, IT IS NOW STIPULATED that the March 26, 2009 Case Management
4 Conference should be postponed until a date set by the Court.

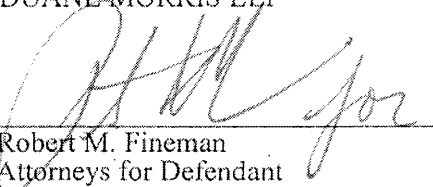
5 DATED: March 24, 2009

MORALES, FIERRO & REEVES

6
7
8 Richard A. Eggerth
Attorneys for Plaintiff
GERLING AMERICA INSURANCE COMPANY
9

10 DATED: March 24, 2009

DUANE MORRIS LLP

11
12 
13 Robert M. Fineman
Attorneys for Defendant
14 GREAT AMERICAN E&S INSURANCE
COMPANY

15 DATED: March 24, 2009

CHARLSTON REVICH & WOLLITZ LLP

16
17
18 Howard Wollitz
Attorneys for Defendant
19 HOMESTEAD INSURANCE COMPANY

20 **[PROPOSED] ORDER**

21 The Case Management Conference scheduled for March 26, 2009 before this Court is
22 postponed until April ___, 2009.

23 IT IS SO ORDERED.

24
25 Dated: March ___, 2009

26 UNITED STATES DISTRICT COURT JUDGE
27

28 s:\docs\ga5105\stipulation postponing case management conference.rae

1 AND WHEREAS, the parties wish to postpone the March 26, 2009 Case Management
2 Conference, pending receipt of the funds, at which time a request for dismissal will be filed;

3 THEREFORE, IT IS NOW STIPULATED that the March 26, 2009 Case Management
4 Conference should be postponed until a date set by the Court.

5 DATED: March 24, 2009

MORALES, FIERRO & REEVES

6
7
8 Richard A. Eggerth
Attorneys for Plaintiff
GERLING AMERICA INSURANCE COMPANY

9
10 DATED: March 24, 2009

DUANE MORRIS LLP

11
12
13 Robert M. Fineman
Attorneys for Defendant
GREAT AMERICAN E&S INSURANCE
14 COMPANY

15 DATED: March 24, 2009

CHARLSTON REVICH & WOLLITZ LLP

16
17 
18 Howard Wollitz
Attorneys for Defendant
19 HOMESTEAD INSURANCE COMPANY

20 **[PROPOSED] ORDER**

21 The Case Management Conference scheduled for March 26, 2009 before this Court is
22 postponed until April __, 2009.

23 IT IS SO ORDERED.

24
25 Dated: March __, 2009

26 UNITED STATES DISTRICT COURT JUDGE

27
28 s:\docs\ga5105\stipulation postponing case management conference.rae